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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants** 

Pasternak et al.

Serial No.

To Be Assigned (Divisional of Serial No. 09/844,111)

For

TOPICAL ANESTHETIC / OPIOID FORMULATIONS AND USES THEREOF

Filed

Concurrently Herewith

Examiner

To Be Assigned

745 Fifth Avenue, New York, NY 10151

#### **EXPRESS MAIL**

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington. DC 20231.

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## PRELIMINARY AMENDMENT

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

Dear Sir:

Prior to examining the above-identified application, kindly cancel claims 1-10.

### REMARKS

Claims 1-10 are now pending in the parent application and Claims 11-35 are to be prosecuted in this divisional application in response to the Examiner's Restriction Requirement. An early examination on the merits is respectfully solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

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